

REMARKS

This amendment is in response to the Election/Restriction Requirement mailed on July 27, 2004, a response to which is due by August 27, 2004.

In the Official Action, the Examiner states that the application contains two patentability distinct species, i.e., Species I directed to a method of assembling a bracket from a plurality of components for mounting a device to one of a plurality of supporting surfaces, and Species II directed to a method of assembling a bracket from a plurality of components for mounting a device to a support. Applicant hereby provisionally elects, with traverse, the invention of Species I, corresponding to independent claims 1, 17, 20 and 30. Applicant also requests that independent claim 9 be included in Species I as the claimed method includes the limitation of "said bracket adapted for mounting a device to one of a plurality of supports each of a different configuration". This is consistent with the Examiner's classification of Species I as being directed to mounting a device to one of a plurality of supporting surfaces.

As to the remaining independent claims, i.e., claim 7, 16, 28, 29, 31 and 32, Applicant traverses the restriction requirement and requests examination of all claims in this application.

In this regard, the Examiner distinguishes Species I from Species II in that Species I is directed to mounting a device to one of a plurality of supporting surfaces, while Species II is directed to mounting a device to a support. The Examiner's attention is directed to independent claim 7 which includes the limitation that the bracket "comprises a mount selected from the group consisting of a clamp mount, a wall mount and a flat mount. Thus, the bracket is adapted for mounting a device to one of the aforementioned supporting surfaces. Independent claim 16 is similarly limited to the

bracket configuration comprising a mount selected from a clamp mount, a wall mount and a flat mount.

As to independent claim 28, the claim includes the limitations that the clamp mount is adapted for attaching the bracket to an edge portion of a support, the wall mount is adapted for attaching the bracket to a vertical surface of a support, and the flat mount is adapted for attaching the bracket to a horizontal surface of the support, i.e., a plurality of supporting surfaces. Independent claims 29, 31 and 32 contain similar limitations directed to a plurality of sporting surfaces for the bracket. Thus, all claims pending in this application are proper for examination on the merits at this time, and notice to that effect is respectfully requested.

In the event that the Examiner should continue to disagree with Applicant's position, Applicant confirms the Species I election, readable thereon by claims 1-6, 9-15, 17-27 and 30. An action on the merits is respectfully awaited. As it is believed that all of the issues set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone Applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

Application No.: 09/916,934

Docket No.: INNOFF 3.0-006 DIV

If there are any charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

By 

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